

# OYSTER SUMMIT

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## ▶ ***WHAT'S THE PROBLEM?***

- ▶ Balancing public trust interests
- ▶ Delay, uncertainty, litigation
- ▶ Tying up waters without production
- ▶ Governance by a body focused on mariculture

NEED FOR REGULATORY REFORM

A decorative graphic consisting of several parallel white lines of varying lengths and orientations, located in the bottom right corner of the slide.

# UTILIZATION OF COASTAL SHELLFISH WATERS (ACRES) (2017)

<b>Approved for Shellfish:</b>	<b>1,414,876</b>
Conditionally approved – Open	44,019
Conditionally Approved – Closed	12,022
Prohibited (lack of monitoring funding);	314,730
Bottom (232):	1,626
Water Column (46):	<u>211</u>
<b>Total Lease:</b>	<b>1,837</b>

# ASSURE PRODUCTIVE USE OF RESOURCE RECOMMENDATION #13

Annual Requirements		
	<u>Current</u>	<u>Proposed</u>
<b><u>Bottom</u></b> Harvest Plant shellfish Purchase seed Remote-Set-Spat Purchase	10 bu./acre/year 25 bu./acre/year * *	<b>40</b> bu./acre/year or 30,000/acre/year or 250,000/acre/year
<b><u>Water Column</u></b> Harvest Plant Cultch Purchase Shellfish	40 bu./acre/year 100 bu./acre/year *	<b>100</b> bu./acre/year or 45,000/acre/year

# UTILIZATION OF COASTAL SHELLFISH WATERS (ACRES) (2017) Con't.

NEEDED FOR \$33 MILLION FARM GATE (\$100 MILLION INDUSTRY)

<b>Bottom:</b>	<b>1,626</b>	<b>8,130</b>	<b>4,500</b>
<b>Water Column:</b>	<u>2,310</u>	<u>211</u>	<u>1,000</u>
<b>Total:</b>	3,939	8,341	5,550
<b>% of Current Approved (1,414,876)</b>	0.2%	0.5%	0.4%

Current statute: “Compatible” with other public trust uses of estuarine resources

Result: Litigation—delay; taxing agency resources; creating uncertainty

Recommendation: “**will not unreasonably interfere** with other lawful utilization by the public of other marine and estuarine resources”

OAH review still available

## BALANCING PUBLIC TRUST USES RECOMMENDATION #10

- ▶ Designation by DMF
  - ▶ Onus on state
  - ▶ Efficiencies of scale in designation
  - ▶ Streamlining federal/state permitting
  - ▶ Focus litigation
- ▶ Within SEA, mariculture by permit (not lease)
- ▶ Enforcement advantages
- ▶ Economics of production (shore facilities)

## SHELLFISH ENTERPRISE AREAS RECOMMENDATION #11



